

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NECA-IBEW PENSION FUND (THE DECATUR
PLAN), GEORGE BACIU AND BRIAN C. GORDON,
on behalf of themselves and all others
similarly situated,

Plaintiffs,
-----x
-against-
ORDER
05-CV-5209 (JS) (ETB)

DHB INDUSTRIES, INC., DAVID H. BROOKS,
TERRY BROOKS, DAVID BROOKS INTERNATIONAL
INC., ANDREW BROOKS INTERNATIONAL INC.,
ELIZABETH BROOKS INTERNATIONAL INC.,
SANDRA HATFIELD, DAWN M. SCHLEGEL, CARY
CHASIN, JEROME KRANTZ, GARY NADELMAN and
BARRY BERKMAN,

Defendants.

-----x
APPEARANCES:

For Plaintiffs: Samuel H. Rudman, Esq.
 William S. Lerach, Esq.
 Lerach Coughlin Stoia Geller Rudman &
 Robbins LLP
 200 Broadhollow Road, Suite 406
 Melville, New York 11747

Bruce G. Murphy, Esq.
Law Offices of Bruce G. Murphy
265 Llwyds Lane
Vero Beach, Florida 32963

For Defendants
David H. Brooks,
Sandra Hatfield,
Dawn M. Schlegel: Christopher Neil Gray, Esq.
 Milbank Tweed Hadley & McCloy LLP
 One Chase Manhattan Plaza
 New York, New York 10005

For Defendants
DHB Industries Inc.,
David Brooks International Inc.,
Andrew Brooks International Inc.,
Elizabeth Brooks International Inc.,
Cary Chasin,

Jerome Krantz,
Gary Nadelman,
and Barry Berkman: No Appearance

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THOMAS HUSTON, derivatively on behalf of
DHB Industries, Inc.,

Plaintiff,
-against-

ORDER
05-CV-4345 (JS) (ETB)

DHB INDUSTRIES, INC., as a nominal defendant, DAVID H. BROOKS, SANDRA HATFIELD, DAWN M. SCHLEGEL, JEROME KRANTZ, GARY NADELMAN, CARY CHASIN, BARRY BERKMAN, and LARRY ELLIS,

Defendants.

APPEARANCES:

For Plaintiffs: Harry H. Wise, III, Esq.
Thomas G. Anon, Esq.
Law Offices of Thomas G. Anon
500 Fifth Avenue, Suite 1650
New York, New York 10110

For Defendants
David H. Brooks,
Sandra Hatfield,
Dawn M. Schlegel:

Christopher Neil Gray, Esq.
Milbank Tweed Hadley & McCloy LLP
One Chase Manhattan Plaza
New York, New York 10005

For Defendants
DHB Industries Inc.:

Matthew T. McLaughlin, Esq.
Venable LLP
405 Lexington Avenue, 62nd Floor
New York, New York 10174

Cary Chasin, Jerome
Krantz, Gary Nadelman,
Barry Berkman, and
Larry Ellis:

No Appearance

SEYBERT, District Judge:

Upon review of the Report and Recommendation of Magistrate Judge E. Thomas Boyle, dated January 9, 2006, to which no party has objected,¹ the Court hereby ADOPTS the Report and Recommendation in its entirety.

SO ORDERED

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
 January 31, 2006

¹ As no party has filed objections to the Report and Recommendation, all objections are hereby deemed to have been waived. See 28 U.S.C. § 636(b)(1); FED R. CIV. P. 72; Beverly v. Walker, 118 F.3d 900, 902 (2d Cir. 1997); Savoie v. Merchants Bank, 84 F.3d 52, 60 (2d Cir. 1996).